



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

SEP 13 2012

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

M. Joel Bolstein, Esq.
Fox Rothschild, LLP
2700 Kelly Road, Suite 300
Warrington, PA 18976-3624

Re: North Penn Area 5 Superfund Site, Unilateral Administrative Order,
U.S. EPA Docket No. CERCLA-03-2012-0205DC

Dear Mr. Bolstein:

As stated in Section XIV, Paragraph 72 of EPA's June 26, 2012 Unilateral Administrative Order ("Order"), Respondents must "establish and maintain" financial assurance within 30 days of the Effective Date of the Order, or by September 10, 2012. Pursuant to Paragraph 73 of the Order if Respondents seek to establish financial assurance using, *inter alia*, a letter of credit, "Respondents shall execute or otherwise finalize all instruments or other documents required in order to make the selected financial assurance(s) legally binding . . . and such financial assurance(s) shall thereupon be fully effective" within 10 days of the Effective Date of the Order, or, in this case, by August 20, 2012. The same Paragraph 73 requires the submission of "executed and/or otherwise finalized instruments or other documents required in order to make the selected financial assurance(s) legally binding" to EPA within 60 days of the Effective Date, or by October 10, 2012.

You have requested a 30-day extension of the requirement to establish and maintain financial assurance pursuant to Paragraph 72 of the Order. Although you have not explicitly sought it, because you have indicated that Stabilus, Inc. will be using a letter of credit to fulfill its financial assurance requirements under the Order, I am reading this request also to include a request for an extension under Paragraph 73 of the Order, which requires Respondents to execute or otherwise finalize all documents to make the financial assurance legally binding by August 10, 2012.

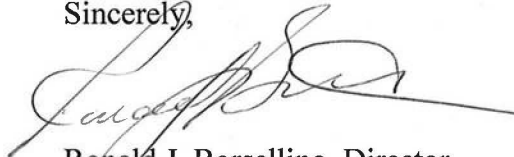
I am, by this letter, pursuant to Paragraph 119 of the Order, modifying Paragraph 72 of the Order to provide that Respondents must establish and maintain financial assurance within 45 days of the Effective Date of the Order, or by September 25, 2012. I am also modifying Paragraph 73 to provide that Respondents "shall execute or otherwise finalize all instruments or other documents required in order to make the selected financial assurance(s) legally

binding...and such financial assurance(s) shall thereupon be fully effective" within 45 days of the Effective Date of the Order, or by September 25, 2012.

This is the second request that Stabilus, Inc. has made to extend a timeframe set forth in the Order. While EPA understands that certain exigencies sometimes require extending the well-considered and well-established timeframes in the Order, such requests for extensions should be based on unanticipated changes in circumstances that make meeting the established deadlines impossible.

If you have any questions, please contact Allison Gardner, the attorney assigned to this matter, at 215-814-2631.

Sincerely,



Ronald J. Borsellino, Director
Hazardous Site Cleanup Division

cc: David W. Nunn, Esq.
David A. Rockman, Esq.
Allison Gardner (3RC42)
Sharon Fang (3HS21)
Jim Williams (3HS62)